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Attorney Docket No. TLIK-030/01US

PATENT

I hereby certify that this correspondence is being transmitted by facsimile addressed to Examiner Wang, Art Unit 1617, Facsimile Number 571-273-8300, at United States Patent and Trademark Office, Alexandria, VA 22313-1450 on January 13, 2005.

By:

Hanna Hacham

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Richard Sportsman et al.

Serial No.: 09/748,665

Examiner: Wang, S.

Confirmation No.: 8219

Art Unit: 1617

Filed: December 21, 2000

For: NONPEPTIDE INSULIN RECEPTOR AGONISTS

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF RESPONSE

Enclosed are the following documents in response to Non-Final Amendment mailed September 28, 2004 for the above-identified application:

- ☒ Amendment (2 pp)
- ☒ Petition for Extension of Time (1 p) + 1(cc)

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Dated: Jan 13, 2005

Cooley Godward LLP

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Respectfully submitted,
COOLEY GODWARD LLP

By:

Tom M. Moran
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Attorney Docket No. **TLIK-030/01US****PATENT**

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AMENDMENT UNDER 37 C.F.R. 1.112

In response to the Non-Final Office Action mailed September 28, 2004, it is respectfully requested that the Examiner cancel pending Claim 27. A clean copy of the claim was submitted October 5, 2004. As discussed in various conversations with Examiner Wang it was the position of the United States Patent and Trademark Office that an additional Declaration would be required in this case. After discussions with the client it was decided that the subject matter of Claim 27 would be pursued in a separately filed co-pending application as a continuing application. Thus it is requested that Claim 27 be cancelled.

With this change it appears that the application is fully in condition for allowance and all formal matters regarding claims 1-25 have been satisfied. No supplemental reissue oath is required in light of the above cancellation of Claim 27.

The Examiner is requested to contact the undersigned at (650) 843-5104 if it is believed that a telephone conference would be useful in advancing the prosecution of this case.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment to Deposit Account No. 03-3117. A Petition for Extension of Time accompanies this Amendment.

Dated: *Jan. 13, 2005*
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